

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

JACK B. ROY,

Plaintiff,

v.

LABORER’S LOCAL 737, a domestic
nonprofit mutual benefit corporation, and
ZACKARY CULVER, an individual,

Defendants.

Case No. 3:18-cv-1695-YY

ORDER

Ashley A. Marton and Craig A. Crispin, Crispin Employment Law PC, 1834 SW 58th Avenue, Suite 200, Portland, OR 97221. Attorneys for Plaintiff.

Anne I. Yen, Weinberg Roger & Rosenfeld, 1375 55th Street, Emeryville, CA 94608. Caren P. Spencer and David A. Rosenfeld, Weinberg Roger & Rosenfeld, 1001 Marina Village Parkway, Suite 200, Alameda, CA 94503. Daniel Hutzenbiler, McKanna Bishop Joffe, 1635 NW Johnson Street, Portland, OR 97209. Attorneys for Defendants.

IMMERGUT, District Judge.

On December 17, 2021, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”). ECF 74. The F&R recommends that this Court award Defendants

\$2,451.16 in costs pursuant to their Amended Bill of Costs, ECF 63. No party filed objections.¹

STANDARDS

Under the Federal Magistrates Act (“Act”), as amended, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”

28 U.S.C. § 636(b)(1). If a party objects to a magistrate judge’s F&R, “the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

No party having filed objections, this Court has reviewed the F&R and accepts Judge You’s conclusions. The F&R, ECF 74, is adopted in full. Defendants shall be awarded \$2,451.15 in costs pursuant to their Amended Bill of Costs, ECF 63.

IT IS SO ORDERED.

DATED this 18th day of January, 2022.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge

¹ On April 28, 2021, in a previous F&R, ECF 70, Judge You recommended that the Bill of Costs be deferred Plaintiff’s appeal of a summary judgment in Defendants’ favor. This Court adopted that F&R. ECF 72. On December 16, 2021, the Ninth Circuit affirmed the underlying motion for summary judgment. ECF 73.